

PATENT
ATTORNEY DOCKET NO. DIVER1380-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short Art Unit: Unassigned
Serial No.: 09/529,458 Examiner: Unassigned
Filed: April 13, 2000
Title: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL INTERACTIONS

BOX PCT
Assistant Commissioner of Patents
Washington, D.C. 20231

<p>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</p> <p>"EXPRESS MAIL" MAILING LABEL NO. EL360645386US DATE OF DEPOSIT May 23, 2000</p> <p>HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231</p> <p>MIKHAIL BAYLEY (TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)</p> <p><i>Mikhail Bayley</i> _____ (SIGNATURE OF PERSON MAILING PAPER OR FEE)</p>
--

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed May 15, 2000, enclosed are:

1. A copy of the Notification of Missing Requirements;
2. An executed Declaration for Patent Application (2 pages);
3. A Power of Attorney by Assignee (2 pages);
4. A Verified Statement (Declaration) Claiming Small Entity Status;
5. A Recordation Form Cover Sheet and executed Assignment (4 pages);

In re Application of:

Jay M. Short

Application No.: 09/529,458

Filed: April 13, 2000

Page 2

PATENT

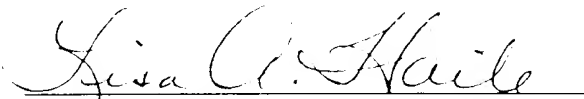
Attorney Docket No.: ~~DIVER1288-1~~

A check in the amount of \$105.00 is enclosed for this filing. This includes \$65.00 surcharge fee for missing requirements of the application, and \$40.00 recordation fee for one (1) assignment. If there are any associated fees required by this filing, the Commissioner is authorized to charge such fees to Deposit Account No. 07-1895. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

Date: _____

5/23/00



Lisa A. Haile, Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1600

San Diego, California 92121-2189



EL360645386US

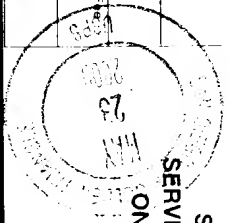


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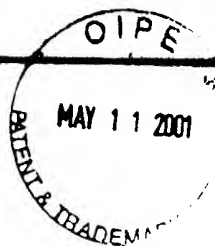
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PATENT

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Applicant: Jay M. Short
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BIOLOGICAL INTERACTIONS

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Assistant Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF MAILING BY "EXPRESS MAIL"

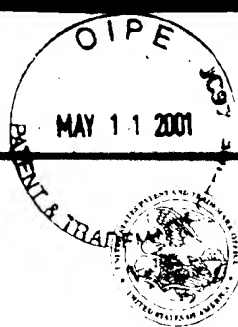
MIKHAIL BAYLEY declares as follows:

1. I reside at 4551 W. Talman Ave
and am an employee of Gray Cary Ware & Freidenrich LLP, 4365 Executive Drive, Suite 1600,
San Diego, CA 92121-2189.
2. On **May 23, 2000**, I deposited in the mail, "Express Mail Post Office to
Addressee" service of the United States Postal Service the contents of the envelope for which
"Express Mail" receipt No. **EL360645386US** was issued addressed to: Assistant Commissioner
of Patents, Washington, D.C. 20231.
3. Attached hereto is a true copy of the "Express Mail" receipt no.
EL360645386US.

I hereby declare that all statements made herein of my own knowledge are true and that
all statements made on information and belief are believed to be true; and further that these
statements were made with the knowledge that willful false statements and the like so made are
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States
Code and that such willful false statements may jeopardize the validity of the above-identified
application or any patents issued thereon.

Date: 05/23/2000

Mikhail Bayley



104703-160131

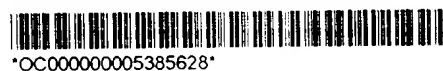
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/529,458	04/13/2000	1636	843	DIVER1380-1	6	15	1

LISA A HAILE
GARY CARY WARE & FREIDENRICH
4365 EXECUTIVE DRIVE
SUITE 1600
SAN DIEGO, CA 92121

CORRECTED FILING RECEIPT



OC000000005385628

RECEIVED

SEP 14 2000

Date Mailed: 09/08/2000

GRAYCARY/GT PATENT

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

JAY M. SHORT, RANCHO SANTA FE, CA ;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A 371 OF PCT/US98/21895 10/15/1998
WHICH CLAIMS BENEFIT OF 60/062,073 10/15/1997

Foreign Applications

If Required, Foreign Filing License Granted 07/06/2000

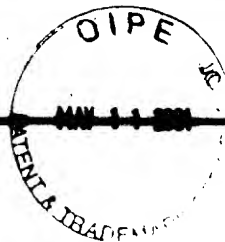
Title

SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL
INTERACTIONS

Preliminary Class

Team : OIPE

Date: 09/08/2000



LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Over 1380US2

104703-160131

APPLICATION NO. 5611 FIRST NAMED APPLICANT LISA A HAILE ATTY. DOCKET NO. 104703-160131-1

LISA A HAILE
GARY CARY WARE & FRIEDENBERG
4365 EXECUTIVE DRIVE
SUITE 1600
SAN DIEGO CA 92121

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JUN 12 2000

GRAYCARY/GT PATENT

INTERNATIONAL APPLICATION NO.

PT/03/08721395

I.A. FILING DATE

PRIORITY DATE

10/15/98

10/15/97

06/09/00

DATE MAILED:

NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
AND 37 CFR 1.494 OR 1.495

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

23 May 00
35 U.S.C. 102(e) DATE

23 May 00
DATE OF RECEIPT OF
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371(C) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on 13 April 00 and the application will be examined in turn.

4. The following items have been received:

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.

The Article 19 amendments ☐ have ☐ have not been entered.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Copy of the Annexes to the International Preliminary Examination Report (IPER).

☐ Translation of Annexes to the IPER into English.

The Annexes ☐ have ☐ have not been entered.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☒ Assignment document.

☒ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☒ Verified Statement Claiming Small Entity Status.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Lamont Hunter

National Stage Processing

(703) 305-3686



JC17 Rec'd PGT/PTO

11 MAY 2001

PATENT

ATTORNEY DOCKET NO. DIVER1380-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short Art Unit: 1636
Serial No.: 09/529,458 Examiner: Not Assigned
Filed: May 23, 2000
Title: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE
BIOLOGICAL INTERACTIONS

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

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MAY 23 2001

TECH CENTER 1600/2900

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

1. A Request for Correction of Filing Receipt;
2. A copy of the Filing Receipt;
3. A copy of the Express Mail receipt;
4. A copy of the Declaration of Mikhail Bayley;
5. Transmittal of Response to Notification of Missing Requirements;

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date May 8, 2001, in an envelope addressed to Assistant Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center, Washington, D.C. 20231

Application No.: 09/529,458

Attorney Docket No. DIVER1380-1

Filed: April 13, 2000

Page 2

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Sheet is enclosed.

Respectfully submitted,

Date:

5/8/01

Lisa A. Haile

Lisa A. Haile, Ph.D.

Registration No. 38,347

Attorney for Applicant

GRAY CARY WARE & FREIDENRICH LLP

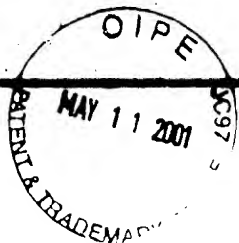
4365 Executive Drive, Suite 1600

San Diego, California 92121-2189

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

Gray Cary/GF/6192940.1
104703-160131



PATENT
ATTORNEY DOCKET NO. DIVER1380-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short Art Unit: 1636
Serial No.: 09/529,458 Examiner B. Loeb
Filed: May 23, 2000
Title: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE
BIOLOGICAL INTERACTIONS

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

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REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

The filing date needs to be corrected from April 13, 2000 to **May 23, 2000**. A copy of the following documents show the correct filing date to be May 23, 2000:

1. Express Mail receipt number EM360645386US;
2. The Declaration of Mikhail Bayley, who delivered the Response to Notification of Missing Requirements to the U.S. Post Office on May 23, 2000;

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, May 8, 2001, in an envelope addressed to
Commissioner for Patents, Office of Initial Patent Examination,
Customer Service Center, Washington, D.C. 20231



3. Transmittal for Response to Notification of Missing Requirements; and
4. Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 C.F.R. 1.494 or 1.495.

Applicants accordingly request the correction be made of record and a corrected filing receipt be issued.

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: May 8, 2001

Lisa A. Haile, Ph.D.
Registration No. 38,347
Attorney for Applicant

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, California 92121-2189
Telephone: (858) 677-1456
Facsimile: (858) 677-1465
USPTO Customer Number 28213

Gray Cary GF 6192939.1
104703-160131

Gray Cary GF 6237233.1
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104703-160131



In re Application of
Patent & Trademark Office

Application No.: 09/529,458
Filed: May 23, 2000
Page 2

PATENT
Attorney Docket No.: DIVER1380-1

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The Fee for this Response is calculated as follows:

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Large Entity Rate	Small Entity Rate	Calculations
Total Claims	35	34	0	x \$18.00	x \$9.00	\$9.00
Independent Claims	3	3	0	x \$80.00	x \$40.00	\$00.00
Multiple Claims				\$270.00	\$135.00	\$135.00
					TOTAL FEE	\$144.00

The Commissioner is hereby authorized to charge the total filing fee of \$589.00 (including the multiple dependent fee of \$135.00, one additional claim of \$9.00 and the fee for three-month extension of time in the amount of \$445.00) and any additional fees required by this filing, or credit any overpayment, to Deposit Account No. 50-1355. A copy of this Transmittal is enclosed.

Respectfully submitted,

Date: 5/1/01

Lisa A. Haile, Ph.D.
Reg. No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465